

Washington, Tuesday, January 25, 1955

### TITLE 32—NATIONAL DEFENSE

### Chapter V—Department of the Army

Subchapter A-Aid of Civil Authorities and **Public Relations** 

PART 505--SAFEGUARDING DEFENSE INFORMATION

### REVISION OF PART

The headnote of Part 505 is changed to read "Safeguarding Defense Information" (as set forth above) and the remainder of the part is revised to read as follows:

505.1	Defense information.
505.2	Classification categories.
505.3	Definition of Top Secret.
505.4	Reproduction of Top Secret.
505.5	Definition of Secret.
505.6	Definition of Confidential.
505.7	Persons authorized to receive classi-
	fied information.
505 B	Discussions involving classified in-

Defense information.

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involving classified information.

505.9 Telephone conversations. Personnel retiring or separating from 505.10

service. 505.11 Publications. Collection of classified material for 505.12

personal use. Classification markings 505.13

505.14 Public display of classified materiel. 505.15

Classified defense information in hands of contractors. 505.16 Compromise or possible compromise. 505.17 Authority for admission of visitors. Responsibility of commanding officer 505.18

regarding visitors.
Responsibility of Government con-505.19 tractors regarding visitors.

505.20 Restricted areas.

AUTHORITY: §§ 505.1 to 505.20 issued under R. S. 161; 5 U. S. C. 22.

Source: AR 380-5, December 7, 1954; AR 380-20, September 29, 1954; and AR 380-4006, November 22, 1950.

§ 505.1 Defense information. Defense information is that official information which requires protection in the interests of national defense, which is not common knowledge, and which would be of intelligence value to an enemy or potential enemy in the planning or waging of war against the United States or its allies. Such information will be classified under this part.

§ 505.2 Classification categories. Defense information will be limited to three categories of classification, which in descending order of importance will

carry one of the following designations: Top Secret, Secret, or Confidential.

§ 505.3 Definition of Top Secret. The use of the classification Top Secret will be limited to defense information or material which requires the highest degree of protection. The Top Secret classification will be applied only to that information or material the defense aspect of which is paramount, and the unauthorized disclosure of which could result in exceptionally grave damage to the Nation such as:

(a) Leading to a definite break in diplomatic relations affecting the defense of the United States, an armed attack against the United States or its Allies, a war, or

(b) The compromise of military or defense plans, or intelligence operations, or scientific or technological developments vital to the national defense.

§ 505.4 Reproduction of Top Secret-(a) Annotation limiting reproduction. At the time of issuance of any document which qualifies for assignment to the Top Secret category, the issuing authority will insure that each copy of the document contains a notation substantially in one of the forms indicated in (1) or (2) of this subparagraph paragraph.

(1) Reproduction of this document in whole or in part is prohibited except with permission of the issuing office.

(2) Reproduction of paragraphs \_\_ of this document is prohibited except with permission of the issuing office.

(3) Notation under subparagraphs (1) or (2) of this paragraph will not be included in the text of messages. Reproduction of electrically transmitted messages will be accomplished by only one office within each headquarters or agency. The number of copies reproduced will be kept to the absolute minimum required to accomplish the required activities.

(b) Authority to copy, make extracts from or reproduce Top Secret material. Top Secret material may be copied, exor reproduced tracted from. operational purposes only when the issuing office has authorized such reproduction.

§ 505.5 Definition of Secret. The use of the classification Secret will be limited

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### **National Shipping Authority**

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549	to defense information and material the unauthorized disclosure of which could
	result in serious damage to the nation,
548	such as: (a) Jeopardizing the international
0.10	relations of the United States.
548	(b) Endangering the effectiveness of
940 1	a program or policy of vital importance to the national defense.
,	(c) Compromising important military
	or defense plans, scientific or technologi- cal developments important to national
	defense.
	(d) Revealing important intelligence
	§ 505.6 Definition of Confidential.
	The use of the classification Confidential
549	will be limited to defense information or

material the unauthorized disclosure of which could be prejudicial to the defense interests of the nation such as:

- (a) Personnel security investigation, Inspector General investigations, and other investigations which require protection against unauthorized disclosure.
- (b) Operational and battle reports which contain information of value to the enemy
  - (c) Intelligence reports.
- (d) Military radio frequency and call sign allocations of special significance or those which are changed frequently for security reasons.
- (e) Devices and material relating to communications security
- (f) Information which indicates strength of our troops, air, and naval forces, in United States and oversea areas, identity or composition of units, or quantity of specific items of equipment pertaining thereto. (Classification will be limited to information which would be of value to an enemy in determining United States or allied order of battle as it pertains to large units (normally armies) or to a particular task force operating overseas. Classification of morning reports and other documents indicating strengths of smaller units is not required except where the mission, equipment, or identity requires classi-
- fication)
  (g) Documents and manuals containing technical information used for training, maintenance, and inspections of classified munitions of war.
- (h) Operational and tactical doctrine.(i) Research, development, production,
- and procurement of munitions of war.

  (j) Mobilization plans.
- (k) Matters and documents of a personal and disciplinary nature, the disclosure of which could be prejudicial to discipline and morale of the Armed Forces.
- (1) Documents used in connection with procurement, selection, and promotion of military personnel, the disclosure of which could violate the integrity of the competitive system.

Note. The items listed in this section are to be considered as examples. Nothing in the regulations of this part prohibits the assignment of a higher classification to any item listed provided security considerations warrant. Likewise, any item listed in this section may be unclassified provided disclosure does not directly prejudice the defense interests of the Nation.

§ 505.7 Persons authorized to receive classified information. No person is entitled to knowledge or possession of classified defense information solely by virtue of his rank, office, position, or security clearance. Such matter will be entrusted only to individuals whose official duties require knowledge or possession and who have been properly cleared. Responsibility for determining whether a person's official duties require that he have access to any item of classified defense information rests upon each individual who has possession, knowledge, or command control of the information involved and not upon the prospective recipient. These principles are equally applicable if the prospective recipient is an organizational entity including com-

mands, other Federal agencies, or a foreign government.

§ 505.8 Discussions involving classified information. All discussions of classified defense information within the hearing of unauthorized persons are prohibited. In imparting classified information orally the recipient will be told the classification of the defense information. When a lecture, address, or informal talk to a group includes classified defense information, the speaker will announce the classification at the beginning and end of the period.

§ 505.9 Telephone conversations. Classified defense information will not be revealed in telephone conversations except as may be authorized over approved circuits.

§ 505.10 Personnel retiring or separating from service. (a) Military personnel retiring or separating from the service, and civilian employees departing from employment with the Army Establishment, are prohibited under penalties as prescribed in the Uniform Code of Military Justice or appropriate Federal statutes from divulging to unauthorized persons classified defense information to which such persons have had access during their service or employment.

(b) The debriefing of military personnel retiring and separating from the service, and of civilians leaving Department of Defense employment or leaving the employment of Department of Defense contractors having classified contracts, must incorporate positive instructions that no classified information will be released or made available for release to the public or any persons not properly entitled to receive such information.

§ 505.11 Publications—(a) General. The inclusion of classified defense information in any information or material, whether of fact or of opinion, and whether visual or auditory for dissemination to the public is prohibited. The contribution of classified defense information to other persons for dissemination to the public is expressly prohibited.

(b) Service publications. Officials having supervisory responsibility for service magazines, journals, or other publications intended for dissemination to the public will submit for review any material to be included in such publications that might contain classified defense information to the Chief of Information, Department of the Army

§ 505.12 Collection of classified material for personal use. Private records, diaries, or papers containing statements of fact or opinion, either official or personal, concerning matters which relate to or affect the national security represent a constant threat to the security of defense information. Military personnel and civilian employees of the Army are prohibited from keeping private records, diaries, or papers which contain such statements. Also prohibited are the collecting as souvenirs, or the obtaining for any personal use whatsoever, any matter classified in the interests of national defense.

§ 505.13 Classification markings. The assigned defense classification will be conspicuously marked or stamped (not typed) at the top and bottom of all pages which contain classified defense information. In marking or stamping the classification categories, the letters, when practicable, will be larger than the normal lettering. Markings must be conspicuous. Front and back covers, title pages, first and back pages, together with any routing instructions or other papers of any size which conceal or partially conceal the cover, title, first or back page will bear the overall classification of the document. Other pages, except pages of messages to be transmitted electrically may be classified according to their own content. A cover will be marked on its front and back.

§ 505.14 Public display of classified materiel. (a) Commanding officers are responsible that all classified features of materiel are properly safeguarded during maneuvers, ceremonies, or exhibitions open to the public.

(b) Photographing of development items of material or those revealing processes of manufacture is prohibited unless authorized by the head of the technical service concerned. After an article of equipment has been issued to combat units, release of photographs is permissible unless specifically prohibited.

(c) Requests for permission to take photographs of classified materiel will be referred by letter to the head of the appropriate technical service. If authority is granted, resulting photographs will be submitted to the Chief of Information, Department of the Army for final review prior to public release.

§ 505.15 Classified defense information in hands of contractors. Classified defense information in the hands of Department of the Army contractors will be transmitted, marked, stored, and destroyed in accordance with Part 21 of this title (Industrial Security Manual for Safeguarding Classified Information (19 F R. 2205))

§ 505.16 Compromise or possible compromise. Any person, civilian or military who becomes aware of the disclosure, or the possibility of disclosure, of classified defense information to any unauthorized persons, or the loss of a classified document, will report such fact to his commanding officer or office chief who will notify by the fastest means available the:

(a) Security Control Officer of the command or agency having custody who will immediately notify the command or agency having primary interest (normally the originator) and the

(b) Commanding officer or office chief of the individual having custody

§ 505.17 Authority for admission of visitors—(a) General. For the purpose of this section and §§ 505.18 to 505.20, a United States citizen while a representative, official, or employee of a foreign government or foreign private or commercial entity is considered a foreign national. Visits to Army installations and facilities within the United States are authorized under the condi-

tions set forth in this section and §§ 505.18 to 505.20.

- (b) Foreign nationals—(1) Authority of local commanding officer By authority of the commanding officer, foreign nationals may be admitted to installations of the Army Establishment for social purposes, for activities open to the general public, for authorized medical treatment, and in connection with emergency landings, provided no classified defense information is disclosed.
- (2) Authority of commanding generals, continental armies, or other command. Members of the armed forces of Canada and Mexico may be admitted to Army installations near the borders of those countries for occasional visits on the authority of the commanding general of the continental army or other command having jurisdiction over the installation without reference to higher authority provided no classified defense information is disclosed.
- (3) Authority of Assistant Chief of Staff G-2, Department of the Army. (i) Foreign nationals may be admitted to the following only on written authority of the Assistant Chief of Staff, G-2, Department of the Army.
- (a) Installations and facilities of the Army Establishment except as provided in paragraphs (a) and (b) of this section.
- (b) Government or commercial facilities where classified work, projects, or features will be shown or discussed.
- (ii) Foreign visit requests will include the following information:
  - (a) Name in full.
  - (b) Official title or position.
  - (c) Nationality.
- (d) Name of installation, facility or activity to which admission is desired.
- (e) Date of visit or dates between which visits are desired.
  - (f) Purpose of visit.
  - (g) Sponsor.
- (iii) Authorization of visit does not constitute authority for release of documents containing classified defense information to visitors.
- employees. (c) Foreign national Foreign nationals employed by a United States contractor under classified contract to a United States military agency, foreign nationals employed by a nonmilitary United States Federal Government agency engaged in a classified contract with the United States military agency or foreign nationals employed on a classified project or work by an agency of the United States Armed Forces may visit Department of the Army installations on authority of the commanding officer of the installation or Department of Army representative at the facility without reference to the Assistant Chief of Staff, G-2, under the following proce-
- (1) The necessity for the visit must be attested by the United States military resident representative or inspector on duty at the employing establishment or, in case no resident representative is assigned, by the United States military procurement agency or military agency for which the foreign national is working.

- (2) The visit request must state the specific scope of information or items desired to be shown the visitor. A certified true or photostatic copy of the letter of consent which authorizes employment of the foreign national on classified work must accompany the visit request and not be given the visitor.
- (3) Foreign national visitors will not be permitted access to defense information of a higher classification than that indicated in the letter of consent issued to the visitor which authorizes him access to classified work at his place of employment.
- (4) If the commanding officer of the installation or Department of the Army representative at the facility to be visited approves the visit, the requester will be so notified.
- (5) The foreign national visitor must have in his possession a copy of the approved visit request (copy of letter of consent withdrawn) as well as proper identification.
- (d) United States citizens. Subject to the approval of the commanding officer of an installation or Department of the Army representative at a facility, United States citizens, except those representing or employed by, a foreign government, firm, or corporation may be admitted to Army installations or facilities under the following conditions:
- (1) Casual visitors may be admitted, provided no classified defense information is disclosed.
- (2) Representatives of other United States Government agencies, manufacturers, or their representatives, engineers, and inventors cooperating in Department of the Army work and having a legitimate interest therein may be shown such works or projects as are considered necessary and desirable by the responsible head of the technical service or other Department of the Army agency Request for such visitor clearance will be in accordance with appropriate requirements of the head of the technical service concerned.
- (3) Reporters, photographers, and other representatives of public information media may be admitted to Army installations or facilities, provided classified defense information projects or processes of manufacture are not shown or discussed with them.
- § 505.18 Responsibility of commanding officer regarding visitors. The commanding officer of a military establishment.
- (a) Is the local representative of the Department of the Army in all matters regarding the admission of visitors. If, in his opinion, the situation at the time makes the admission of a visitor inadvisable, he is empowered to postpone the visit and request instructions from the office which authorized it.
- (b) Will forward through military channels to the Assistant Chief of Staff, G-2, a report on all foreign nationals who visit installations for which he is responsible. The report will be classified according to the classification of the defense information contained therein, the classification of the visit, or the approval instrument for the visit, which-

- ever is the highest classification. The report will include the following information:
- (1) Name, official position, and nationality.
  - (2) Authority for visit.
- (3) Date of visit, to include time in and out.
- (4) Matters in which visitor showed greatest interest.
- (5) General type or nature of questions asked.
- (6) Expressed object of visit.
- (7) Estimate of the real object of the visit.
- (8) General estimate of ability intelligence, and technical knowledge of the visitor and his proficiency in the English language.
- (9) A brief of what was shown and explained.
- (10) If classified defense information was disclosed, the highest defense classification of information disclosed to the visitor.
- § 505.19 Responsibility of Government contractors regarding visitors. (a) Contractors or subcontractors engaged in work for the Department of the Army must place such restrictions on the movements of persons employed or entering their plants or offices as will give adequate security to Top Secret, Secret, or Confidential matters in their possession. In view of the wide differences in organization, arrangement, and physical make-up of individual plants, specific rules are not practicable; local conditions at the plant and the classification of the project will determine the security measures to be adopted.
- (b). The following general procedure in regard to visitors at establishments or plants engaged in classified projects for the Department of the Army is prescribed:
- (1) Visitors will be accompanied during their stay at the plant by the inspector or Army representative, a member of his office, or some responsible person who is specifically informed as to the necessary limitations or restrictions, the scope of the visit, and the information which may be furnished.
- (2) Unless specifically authorized, visitors will not be allowed in any shop, laboratory drafting room, or section of a plant where Top Secret, Secret, or Confidential materiel is located or where classified work is in progress, nor will they be permitted to take photographs.
- § 505.20 Restricted areas—(a) Designation. When conditions warrant, the commanding officer of a military reservation, post, camp, station, or installation will designate restricted areas within his command for the purpose of protecting classified defense information contained therein. He will post signs in conspicuous and appropriate places, such as ordinary entrances or approaches to these areas. Each sign, in addition to being marked "Restricted area," will quote the order, regulation, or part thereof which is pertinent to the particular area, the willfull violation of which is made a crime by section 21, Internal Security Act of 1950 (64 Stat. 1005 · 50 U. S. C. 797) Such posted

regulation or order will contain the following warning notice:

This regulation (or order) is promulgated by the authority of (name of officer) in accordance with the provisions of the directive issued by the Secretary of Defense on 20 August 1954 pursuant to the provisions of Section 21, Internal Security Act of 1950 (50 U. S. C. 797).

### WARNING .

Whoever willfully shall violate \_\_\_ regulation or order shall be guilty of a misdemeanor and upon conviction thereof, shall be liable to a fine of not to exceed \$5,000, or to imprisonment for not more than one year. or both. Section 21, Internal Security Act of 1950 (50 U.S. C. 797).

- (b) Procedure in case of violation. (1) The commanding officer of a military reservation, post, camp, station, or installation will cause any person not subject to military law who without competent authority enters a restricted area to be detained, warned of his rights, and interrogated by proper authority If it is a first offense and there is no evidence of deliberate intent, the offender may be warned against repetition and released upon the surrender of any unlawful photograph, sketch, picture, drawing, map, or graphic representation in his possession. Otherwise, the offender will be delivered without unnecessary delay to the nearest United States marshal with a written statement of the facts, the names and addresses of the witnesses, and such pertinent exhibits as may be available.
- (2) When an investigation reveals that a person not subject to military law has entered such restricted area, custody of the individual not having been effected, the commanding officer will promptly forward in writing to the nearest United States district attorney a report of all the facts, including the names and addresses of the witnesses.
- (3) A report will be made through military channels to the commanding general of the army concerned of each case brought to the attention of civil authority that will include a brief summary of all the facts and copies of all pertinent communications.

JOHN A. KLEIN, Major General, U S. Army, The Adjutant General.

[F R. Doc. 55-693; Filed, Jan. 24, 1955; 8:45 a. m.]

### TITLE 6-AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter G-Miscellaneous Regulations [FHA Instruction 449.1]

PART 385-ECONOMIC EMERGENCY LOANS [Administration Letter 372 (447)]

PART 389-SPECIAL EMERGENCY LOANS

MISCELLANEOUS AMENDMENTS

1. In Chapter III of Title 6, Code of Federal Regulations "Part 385-Economic Disaster Loans" (16 F R. 5659) is redesignated "Part 385-Economic

Emergency Loans," and that Part 385 is amended to provide that references therein to "Economic Disaster Loans' will be construed to mean "Economic Emergency Loans."

2. Chapter III of Title 6. Code of Federal Regulations, is amended to add a new Part 389 in Subchapter G, designated "Part 389-Special Emergency Loans," and to read as follows:

Sec.

389.1 General.

Eligibility.

389.3 Certifications.

Making and servicing Special Emer-389.4 gency loans.

AUTHORITY §§ 389.1 to 389.4 issued under R. S. 161; 5 U. S. C. 22. Interpret or apply Pub. Law 727, 83d Cong., 68 Stat. 999.

General. Sections 389.1 to 389.4 provide the authorities, policies, and procedures for making and servicing Special Emergency loans pursuant to Public Law 727, 83d Congress, for agricultural purposes, except for refinancing of existing indebtedness. Such loans may be made only in areas designated for that purpose by the Secretary of Agriculture upon his determination that there is a need for agricultural credit, which cannot be met for a temporary period by commercial banks, cooperative lending agencies, the Farmers Home Administration under its regular lending programs or under other types of loans made pursuant to Public Law 38, 81st Congress.

§ 389.2 Eligibility. The eligibility requirements for Economic Emergency loans set forth in § 385.3 of this subchapter are made applicable to Special Emergency loans except that Special Emergency loans will be made only in areas designated for this specific purpose, will not be made to corporations. and each applicant must also be unable to obtain the needed credit through Production Emergency Economic Emergency or Special Livestock loans, pursuant to Public Law 38, 81st Congress.

§ 389.3 Certifications. The certification requirements for Economic Emergency loans set forth in § 385.4 of this subchapter are hereby made applicable to Special Emergency loans and each reference therein to "Economic Emergency" loans will be interpreted for this purpose to mean "Special Emergency" loans. In addition, the County Supervisor's certification will include a statement that the applicant is unable to obtain a Production Emergency Economic Emergency, or Special Livestock loan.

- § 389.4 Making and Servicing Special Emergency Loans. Except as provided in this section, §§ 381.5 to 381.11 of this subchapter are hereby made applicable to the making and servicing of Special Emergency loans. "Emergency loans" as used in the cited paragraphs will be interpreted for this purpose to mean "Special Emergency" loans.
- (a) Section 381.5 (b) of this subchapter is supplemented hereby to provide the following:
- (1) No Special Emergency loan will be made to enable an applicant to produce

crops in excess of his individual acreage allotments or which would violate the intent of the production goals or limitations established or suggested by the Secretary for particular commodities.

(2) No Special Emergency loan will be made to a corporation or any other entity except an individual or partnership.

(3) No Special Emergency loan in excess of \$15,000 will be made to any one applicant.

(4) No Special Emergency loan will be made which will cause the total outstanding indebtedness of any borrower under such loans to exceed \$20,000, including principal and accrued interest.

(5) No Special Emergency loan will be made after June 30, 1955.

(6) No Special Emergency loan will be made which will cause the total amount loaned under this authority to exceed \$15,000,000.

(b) In lieu of § 381.10 of this sub-

chapter the following will be applicable: (1) Subject to the policies and procedures contained herein, State Directors are authorized to approve Special Emergency loans in amounts which will not cause the outstanding principal balance and accrued interest on loans made under this part plus the principal balances on loans made pursuant to Subpart A in Part 381 and to Part 385 of this subchapter to exceed \$20,000 for any one borrower. State Directors may redelegate authority to approve Special Emergency loans as follows:

(i) State Field Representatives may be authorized to approve Special Emergency loans in amounts which will not cause the outstanding principal balance and accrued interest on loans made under this part plus the principal balances on loans made pursuant to Subpart A in Part 381 and to Part 385 of this subchapter to exceed \$12,000 for any one borrower.

(ii) County Supervisor-Appraisers, County Supervisors, and Emergency Loan Supervisors may be authorized to approve Special Emergency loans in amounts which will not cause the outstanding principal balance and accrued interest on loans made under this part plus the principal balances on loans pursuant to Subpart A in Part 381 and to Part 385 of this subchapter to exceed \$7,000 for any one borrower.

Issued this 20th day of January 1955.

[SEAL]

H. C. SMITH. Acting Administrator Farmers Home Administration.

[F R. Doc. 55-721; Filed, Jan. 24, 1955; 8:50 a. m.]

### TITLE 7-AGRICULTURE

Chapter IX---Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

PART 928-MILK IN THE NEOSHO VALLEY MARKETING AREA

ORDER, AMENDING THE ORDER, AS AMENDED, REGULATING HANDLING

§ 928.0 Findings and determinations. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) Findings upon the basis of the hearing record. Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900) a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Neosho Valley marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) Additional findings. It is hereby found and determined that good cause exists for making effective not later than February 1, 1955, this order amending the said order, as amended. This action is necessary in the public interest in order to reflect current marketing conditions and to facilitate the orderly marketing of milk produced for the Neosho Valley marketing area. Any further delay in the effective date of this order, as amended, and as hereby further amended, will seriously impair orderly marketing of milk in the Neosho Valley marketing area. The provisions of the said amendatory order are well known to handlers, the public hearing having been held June 29, 30, and July 1, 1954, the recommended decision having been issued on October 28, 1954, and the final decision having been issued by the Assistant Secretary on December 17, 1954. Reasonable time under the circumstances has been afforded persons affected to prepare for its effective date. Therefore, it would be impracticable and contrary to the public interest to delay the effective date of this amendatory order for 30 days after its publication in the FEDERAL REGISTER (see section 4 (c) Administrative Procedure Act, Pub. Law 404, 79th Cong., 60 Stat. 237)

(c) Determinations. It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping the milk covered by this order amending the order, as amended) of more than 50 percent of the volume of milk covered by the aforesaid order, as amended, and as hereby further amended, which is marketed within the Neosho Valley marketing area refused or failed to sign the marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said marketing agreement tends to prevent the effectuation of the declared policy of the act:

(2) The issuance of this order, amending the said order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of the producers of milk which is produced for sale in the said marketing area, and

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of approval of its issuance, and who during the determined representative period (October 1954) were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered that on and after the effective date hereof the handling of milk in the Neosho Valley marketing area. shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

- 1. Delete § 928.22 (i) (1) and substitute therefor the following:
- (1) On or before the 12th day of each delivery period the minimum price for Class I milk computed pursuant to § 928.51 (a) and the Class I butterfat differential computed pursuant to § 928.52, both for the current delivery period; and on or before the 5th day of each delivery period the minimum price for Class II milk computed pursuant to § 928.51 (b) and the Class II butterfat differential computed pursuant to § 928.52, both for the preceding delivery period.
- 2. Delete the second proviso appearing in § 928.51 (a) and substitute therefor the following:

§ 928.51 Class prices. \* \* \*
(a) Class I milk. \* \* \* And provided further That the price so determined shall be further adjusted by subtracting any amount by which such price exceeds the higher of, or adding any amount by which such price is less than the lower of the following:

- (1) The price for Class I milk of 4.0 percent butterfat content established for the same month or delivery period pursuant to Federal Order No. 6 regulating the handling of milk in the Tulsa-Muskogee, Oklahoma, marketing area, less 23 cents; or
- (2) The price for Class I milk of 4.0 percent butterfat content established for the same month or delivery period under Federal Order No. 21 regulating the handling of milk in the Ozarks marketing area, plus 15 cents.
- 3. Delete § 928.80 and substitute therefor the following:

§ \$28.80 Determination of daily base of each producer For the delivery period of March through August of each year, the daily base of each producer shall be an amount of milk computed by the market administrator by dividing the total pounds of milk received from such producer by handlers during the preceding delivery periods of September through December by the total number of days for which such producer made deliveries of milk in such period, or by 90, whichever is greater.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C.

Issued at Washington, D. C., this 20th day of January 1955, to be effective on and after the 1st day of February 1955.

[SEAL] EARL L. BUTZ. Assistant Secretary of Agriculture. [F. R. Doc. 55-707; Filed, Jan. 24, 1955; 8:48 a. m.]

### TITLE 14—CIVIL AVIATION

### Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdts. 118 and 1211

PART 609-STANDARD INSTRUMENT APPROACH PROCEDURES

PROCEDURE ALTERATIONS

### Corrections

- 1. In Federal Register Document 54-9739, published at 19 F R. 8144, the following changes should be made:
- a. In amendatory paragraph 1 the entry in column 7 for "Meridian, Miss." should read "154-2.8"
- b. In amendatory paragraph 2 the second entry under "2 engines or less" in reading "600-2" should read "600-1"
  2. In Federal Register Document 55-
- 133, published at 20 F R. 156, the following changes should be made in amendatory paragraph 4 for "Waterloo. Iowa".
- a. The second entry in column 9 under the first headnote "2 engines or less" now reading "600-1" should read "800-1"
- b. The second entry in column 10 under the first headnote "more than 2 engines" now reading "600-11/2" should read "800-11/2"

THE CO. LEWIS TO SERVICE AND ADDRESS.

### PART 609-STANDARD INSTRUMENT APPROACH PROCEDURES PROCEDURE ALTERATIONS

The standard instrument approach procedure alterations appearing hereinafter are adopted to become effective when indicated in order to promote safety Compliance with the notice procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required

Part 609 is amended as follows: Nore: Where the general classification (LFR VAR ADF ILS GCA or VOR) location and procedure number (if any) of any procedure in the amendments which follow are identical with an existing procedure that procedure is to be substituted for the existing one as of the effective date given to the extent that it differs from the existing procedure is revoked; new procedures are to be placed in appropriate alphabetical sequence within the section amended

The low frequency range procedures prescribed in § 609 6 are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings and courses are magnetic Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL Cellings are in feet above airport elevation from the in accordance with the following instrument approach procedure, unless an approach is conducted at the below named airport it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with the following instrument approach is conducted in accordance with a different procedure, unless an approach is conducted in accordance with a different procedure, unless an approach is conducted in accordance with a different procedure.

area or as set forth below										
							Ceiling 81	Ceiling and visibility minimums	ulnimums	
City and State; airport name, elevation; facility: class and	Initial approach to facility	Course and dis	Minimum altitude	final approach course (outbound and inbound);	altitude over facility on	Course and distance, facility to	ļ 	Type aircraft	ircraft	If visual contact not established at author ized landing minimums after passing facility within distance specified or if
nentingation; procedure two, effective date		tance	(E)	altitudes; limiting dis tances	nnai approacu course (ft )	airport	Condition	75 m. p h or less	More than 75 m p b	landing not accomplished
p=4	8	8	4	5	B	7	<b>&amp;</b>	6	01	11
BILOXI MISS Keesler Air Force Base 26 MRIWA-BIX Procedure No 1 August 1 1951	PROCEDURE CANCELED-SUPERSEDED AFFECT THE A-L CHARTS IN THE MIL	ED-SUP	ERSEDE THE M	EDED BY SPECIAL PROCEDURE NO 1 DATED JANUARY 28 1955 (NOT PUBLISHED) E MILITARY PILOT S HANDBOOK	DURE NO 1 BOOK	DATED JANI	JARY 28 19	55 (NOT PL	BLISHED)	THIS CANCELLATION DOES NOT
GORDONSVILLE, VA. CAA Intermediate, 438' SBMRAZ-VDT-GVE Procedure No 1. Effective date: August 16 1948	PROCEDURE CANCELED EFFECTIV	ED EFFE	CTIVE F	E FEBRUARY 23 1955						
JACKSON, TENN Jacks Greek, 550' SBRAZ-DTV-JAN Procedure No. 1. Effective date: December 16 1947	PROCEDURE CANCELED EFFECTIVE FEBRUARY 23 1955	ED EFFE	CTIVE F1	2BRUARY23 1955						
PHILADELPHIA PA	Boothwyn FM (final)	6-080	006	S side W course:	006	099—2 7	T-dn	engin 		Within 27 miles climb to 2,500 on NE course or when requested by ATC, make
International, 10 SBMRAZ-VD1 PHL Procedure No. 1 Amendment No. 5 Effective date: February 28 1955 Supersedes Amendment No. 4	Radar terminal area transition altitudes: N quadrant of Philadel	Within 20 miles Within 10 miles	2 300	680 inbound. 1,500' within 10 miles Not authorized beyond 10 miles			School Property of the Control of th	re thar		a right climbing turn climb to 1600' on Sources. Standard clearance not provided over obstruction one mile SE of range station; rate of descent exceeds standard for straight in approach.
dated November 26, 1954 Major changes: Radar transi tions added, procedure turn distance limited	NW quadrant of Phila delphia LFR	Within 20 miles Within 10 miles	2 000				A-din 9		800-1 800-1 800-2	
	SW and SE quadrants	Within 20 miles	1 500							

# 2 The automatic direction finding procedures prescribed in § 609 8 are amended to read in part:

### ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic Distances are in statute miles unless otherwise indicated. Elevations and latitudes are in feet, MSL Cellings are in feet above airport elevation and in a coordance with the following instrument approach procedure, unless an approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted at the below named airport. Initial approaches shall be made over specified routes Minimum altitude(s) shall correspond with those established for an route operation in the particular area or as set forth below.

				Decoration trum ( ) of the of	Minimum		Celling and	Celling and visibility minimums	alnimums	
City and State; airport name, elevation; facility: class and identification; procedure No;	Initial approach to facility from—	Course and dis	Minimum altitude	final approach course altitude over (outbound and inbound); facility on elititude: limiting die facility on elititude: limiting die	altitude over facility on	Course and distance, facility to air		Type aircraft	freraft	If visual contact not established at author ized landing minimums after passing facility within distance specified or if
effective date		3	•	tances	course (ft )	port	Condition	75 m. p h More than or less 75 m p h	More than 75 m p b	landing not accomplished
1	2	es .	4	ıs	9	7	∞	6	9	п
TOLEDO, OHIO Municipal Afrort, 622. Municipal Afrort, 622. Genos Radiobescon GNO Procedure No. 1 Amendment Original Effective: November 7 1932	PROCEDURE CANCELI	3D EFF	ECTIVE	PROCEDURE CANCELED EFFECTIVE DATE: DECEMBER 6 1954						

# The very high frequency omnirange procedures prescribed in § 609 9 (a) are amended to read in part:

က

### VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation

If a VOR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for an route operation in the particular area or as set for the blow.

	If visual contact not established at author ized landing minimums after passing facility within distance specified or if land		11	Within 7.5 miles climb to 3 500' on radial 185° within 25 miles are 2 miles So dair port. (2) 1917 mean sea level tower 4 miles NNE of sirror (3) Weather serv ice not available to the general public (4) Due to NOTAM concerning let down radial, pilot should depend on heading only from VOR to airport. (6) No con mile for sirror. (6) No con Flots using this facility shall, as soon as practicable, advise Muscle Shoals Radio of their position, altitude ErA, and intentions, and thereafter determine that adequate separation axisis from other reported users of navigational facilities in the area. In instances where other aircraft have previously contacted Muscle Shoals Radio, hold between facility and a point 2 minutes out on final approach course at least 1,000° above previously reported traffic until advised that aircraft making approach has landed. Keep Muscle Shoals Radio advised at all times of changes in altitude and position in order that other aircraft may also receive this information
minimums	Type aircraft	More than 75 m p h	10	s 300-1 1 900-1 1 000-2 1 000-2 1 000-2
Celling and visibility minimums	Type	75 m. p h or less	o	2 engines or less 40 300-1 40 800-15/8 10 000-2 40 400 than 2 engines 40 400 than 2 engines
Ceiling ar		Condition	∞	A Corp. Mon. Mon. Mon. Mon. Mon. Mon. Mon. Mon
	Course and distance, facility to	afrport	7	158—7 5
Minimum	altitude over facility on final	approach course (ft )	9	2 000
Decoration of the second	freeding (—) sue of final approach course (outbound and inbound);	tances; minimis us	ເລ	W side of course: 338° outbound 158 inbound. 2 500' within 10 miles
	Minimum	(11)	4.	
	Course	apprent	es	
	Initial approach to facility from—		2	
	City and State; airport name, elevation; facility: class and identification; procedure No;	effective date	1	HUNTSVILLE, ALA Huntsville, 619 VORW-HSV Restricted Procedure No 1 Amendment No 2 Effective: February 2 Effective: February 2 Supersedes Amendment No 1, July 7, 1984: Night restric tions removed Note added regarding weather observa tions

## VOR STANDARD INSTRUMENT APPROACH PROCEDURE-Continued

iesd	uy,	Junu	ıary	25, 19	JJ
	If visual contact not established at author ized landing minimums after passing facility within distance specified or if land	ing not accomplished	11	Climb to 1 600 on radial 199 within 25 miles	
ainimums	Type aircraft	More than 75 m p h	10	53 300-1 500-1 800-2	ines 200–1½ 500–1½ 800–2
Celling and visibility minimums	Type 8	75 m. p h or less	8	2 engines or less 300-1 500-1 800-2	More than 2 engines dn dn dn
Celling an		Condition	so	A Chan	T-dn C-dn A-dn
	Course and distance, facility to	airport	7	201—5 8	
Minimum	altitude over facility on final	approach course (ft )	ð	008	
	freedure turn (—) sue of final approach course (outbound and inbound);	tances mining ais	8	W side of course: 20° outbound 200° inbound. 1 300' within 10 miles	
	Minimum altitude		-	1 200	
	Course M and a	distance		023—6 0	
	Initial approach to facility		8	Wilmington Radiobeacon	
	City and State; airport name, elevation; facility; class and identification; procedure No:	effective date	1	WILMINGTON, N C New Hanover County 31 BVOB-LMN Procedure No 1	Amendment—Original. Effective January 26 1955

## The instrument landing system procedures prescribed in § 609 11 are amended to read in part:

High Standard Receives are magnetic Distances are in statute miles unless otherwise indicated Elevations and altitudes are in feet MSL Cellings are in feet above alriport elevation to make the below named airport, it shall be in accordance with the following instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted at the below named airport, it shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set for the below:

	If visual contact not established upon descent to authorized land the minimum or it landing not	accomplished	. 13	Within 7.1 miles after passing LOM	course of ILS within 20 miles of	500-1 required with glide path in	operative.											
ninimums	Type aircraft	More than 75 m p h	12	_ 82 30-1		500-1	700-1	300 ¾	700-1	600-2	800-2	nes 200-32	500-135	700-11/2	300-%	700-1	600 2	800 2
visibility r	Type 8	75 m p h or less	п	 2 engines or less T_dn   300-1		500-1	700-1	300-34	700-1	600-2	800-2	More than 2 engines				r		
Celling and visibility minimums		Condition	10	1 2 en	1 1	IIS	ADF	S-dn 6 ILS	ADF	A-dn ILS	ADF	More T-dn	Chth 11CS	ADF	8-dn 6 ILS	ADF	A-dn ILS	ADF
glide slope e to ap	об гипwву	Middle marker	6	2 0009														
Altitude of glide slope A snd distance to ap	proach end at—	Outer marker	so	2 330-7 1														
		tion inbound (ft )	7	ILS 2 300	over LOM													
Procedure turn	approach course (outbound and		8	N side SW course:	punoqui 090	miles of LOM	conducted N	for better sig nal coverage)										
	Mini	mum al titudes (ft )	8	2 300	2 300	2 300		2 200		2 300		10   2,300 1 ADF final						
		and dis	4	227—10	216—11	151-11		321—8	1	240—11		060—10   ILS final A 1 800						
Transition to ILS		T0-	e	гом	гом	LOM		row .		гом		гом						
Tra		From-	8	Allentown LFR	Allentown VOR	Slatington Intersection or		Intersection N course Philadelphia LFR and NW course N Philadel		Intersection E course Allentown LFR and ILS NE course or bearing	241° to LOM	Topton Intersection (In tersection 007 radial from Westchester VOR	and SW course ILS)					
	City and State; alroort name, elevation; facility:	procedure No; effective date	1	ALLENTOWN, PA	Allentown Betmenem Easton, 391'	ILS-ABL LOM-AB.	Combination ILS-ADF Procedure No 1	Amendment No 2 Effective date: Febru ary 26, 1955.	Supersedes Amendment No. 1 dated August	15, 1954. Major changes: Topton Intersection final add	ed to provide straight in approach from		leted					_

ILS STANDARD INSTRUMENT APPROACE PROCEDURE-Continued

740	,							NOLLS	~,			. • •	-		113										
		If visual contact not established upon descent to authorized land for minimum or if landing not	accomplished	13	Within 43 miles after passing Bath Intersection, climb to 2 500 on	Bath Intersection,			56 miles after passing LOM	from 11 g 1 OM or the 8 course	of the Burlington LFR.	Solapproach course	Inoperative							Climb to 500 on NE course ILS, make a climbing right turn to	Mitchel LFR. Continue climb	when directed by ATC) out bound on SW course Mitchel			
	inimums	ircraft	More than 75 m p h	12		20-7-1-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-	200-14 200-14 500-14	2-008 8-000-1	300	3	600-1	600-1	300-34	600-1	nes 200–14 600–144	300-34	600-1	Ş	800-2	300-1		1 2	500-115	300-27 600-27	
	risibility n	Type aircraft	75 m p.h or less	п	engines or less	200-1 800-1 800-1 800-1	nre than 2 engines 200-1/2 500-1/2		2 engines or less	1	500-1	600-1	300-34	600-1	than 2 engines			All aircraft	800-2	2 engines or less	2000	than 2 engines	•		
	Ceiling and visibility minimums		Condition	01	T-dn	8-4-A 12-4-4-4-4-4-4-4-4-4-4-4-4-4-4-4-4-4-4-4	More t	A-dn	260	1 5	SII	ADF	S-dn 15 #ILS	ADF	More t T-dn O-dn	S-dn 15 #ILS	ADF	A-dn	ADF	T-dn	S-dn 4		### ###	A-dn	
	lide slope	of runway	Middle marker	6	nd to land Bath Inter	over bath			6 0-009									,		230— 6					
namman - gar	Altitude of glide slope and distance to ap	proach end at—	Outer marker	œ	markers Dece	section Minimum aiditude over bath Intersection on final approach 1 200 Dis tance to runway 24 4 3			1 755—5 6											770—2 9					
AFFROACE I BOCKDOR		Minimum alti tude at glide slope intercep	tion inbound (ft.)	7	No glide path or ing minimum	section Min Intersection of tance to runw			ILS 1 800	over LOM							•			1 000					
LS SIANDARD INSIROFENI AFF	Procedure turn	(-) side of final approach course (outbound and	inbound); alti tudes; limiting distances	8	E side NE course:	2 300' within 10 miles of Bath	Intersection Not authorized beyond 10 miles.	(Frocedure furn conducted E for more favor a able terrain )	N side NW course:	146 inbound	niles									S side SW course ILS:	042° inbound 1 200′ within 10	miles of OM			
DIAMPAI			mum al tifudes (ft )	20	2,300	2 300	2,300	2 300	1 500	1 500	2 000	1 800								1 000	1 400	2, 500	1 500		
3		Sano	and dis	-	121—5	096-3 5	060—1 \$	11-090	320—3 5	171—20	023—27	146—5 5			,					042—11	063—16	Within 25 miles	Within 15		
	Transition to ILS		To-	ĸ	Bath Intersection	Bath Intersec tion	Bath Intersection	Bath Intersection.	гом	гом	гом	гом								МО	ILS SW course	-,-,			
			From—	8	Allentown VOR	Allentown LFR	Intersection NE course Allentown ILS and E course Allentown LFR	Allentown LOM	Burlington LFR	Plattsburg VOR	Vergennes FM	10	Plattsburg 180° radial and NW course ILS)							Scotland Intersection (final)	Colts Neck VOR	Radar terminal area tran sitions. All directions			
		City and State; airport name, elevation; facility: class and identification;	procedure No ; effective date		ALLENTOWN, PA. Allentown Bethlehem	ILS-ABL Procedure No 2	Back course approach using Bath Intersection (Intersection NE	course LLS and 301  COURSE LLS and 301  COURSE TO Allentown  to Allentown LFR D  THERTY 26, 1955  Enterty ed date: Feb  THERTY 26, 1955  No. 1 dated Angust  Is, 1954.  Anjor changes: Addition; re  Vises minimums	BURLINGTON VT	ILS-I BTV	Combination ILS-ADF	Amendment No 3 Effective date: Februs	Supersedes Amendment	1954 usted July I	transition; revises minimums.					NEW YORK, N. Y International 12'	OM continuous dashes	site). Procedure No. 1	Effective date: Febru ary 26, 1955.	Supersedes Amendment No. 7, dated January 4, 1954 Major changes: Mini mums revised	

ILS STANDARD INSTRUMENT APPROACE PROCEDURE-Continued

				-0, -											/ I & I T	••				
	If visual contact not established upon descent to authorized land	ing miniming of it tanding not accomplished	13	Climb to 1,200' (or higher altitude when directed by ATC) on SW	*Procedure turn conducted E to	CAUTION: The minimums on this procedure do not provide stand	ard clearance over the following obstructions: 278' stack 1.7 miles SSE of Runway 4R 165' air	port control tower, 230' tank 35 mile SE of Elmont FM		Within 5.3 miles after passing LOM (ADF) climb to 2,500' on NF course of Philodolphic I FR	to Mount Holly Intersection Alternate missed approach pro	cedure (when requested by ATC) make a right climbing turn, pro	ceed to Elmer Intersection at 1,500 - 500-1 required with glide slope framenative							
inimums	ircraft	More than 75 m p h	12		7 000	806-21	nes 200–34 500–14	400-1 800-2		300-1	500-1	500-1	1 1	500-1	nes 200–15 500–175	200-1/2	500-1	6		800-2
risibility n	Type aircraft	75 m, p h. or less	11	2 engines or less	1-00	800-2	More than 2 engines  -dn  -dn  -dn			2 engines or less dn 300–1	400-1	500-1	200-15	500-1	More than 2 engines			ll sircraft	3	800-2
Celling and visibility minimums		Condition	10	T-dn	5 45 5 45 5 45 5 45 5 45 5 45 5 45 5 45	A-dr	More C-du	A-du		T-dn	C-dn *II.s	ADF	S-dn 9	ADF	More t T-dn C-dn	S-dn 9 ILS	ADF	A-dn P-A		ADF
lide slope	об гиптаў	Middle marker	6	4.6 miles FM						28 28								·	-	
Altitude of glide slope	proach end eat	Outer marker	80	No glide path 4.6 miles from Elmont FM						1 500—5 3										
	Minimum alti tude at glide slope intercep	tion inbound (ft )	2	1 000 over El mont FM on	rusi					1, 500 ILS 900 A DF	TOTAL TOTAL									
Procedure turn	(-) side of final approach course (outbound and	inbound); alti tudes; limiting distances	9	E side NE course	222 inbound	niles				S side W course: 265° outbound	1 500' within 10 miles of LOM.	Not authorized beyond 10	miles							
	Mini	mum al titudes (ft )	20	1 500	1 500	2 500	1 500	<del> </del>		1 500 (ILS)	(ADF)	1 500	2, 300	1 800	2,000	1 500		7 900		
		Course and dis tance	•	222—11	0429	Within 25 miles	Within 15 miles			085—7		251—2 8	Within 20 miles	Within 10	Within 20	Within 10	Tithin 00	within 20 miles		
Transition to ILS		To-	8	Elmont FM	Elmont FM					гом		ГОМ								
Tra		Fron-	a	Glen Cove MH (final)	Idlewild LFR	24	E of NE/SW course of LaGuardia LFR			Boothwyn FM (final)		Philadelphia LFR	Radar terminal area tran sition altitudes:  N quadrant of Phila	A art gradien	NW quadrant of Phila	VI arr mindren	TO SECOND	sw and sk quadrants		
	Oity and State; airport name, elevation; facility:	procedure No : effective	und.	NEW YORK, N. Y International 12	TLS IDL, (Premised on use of back	course LLS and El . mont FM.) Procedure No. 2	Amendment No 5. Effective date: Febru ary 26, 1955	Supersedes Amendment No. 4 dated January 4, 1954	Major changes: Mini mums revised	PHILADELPHIA PA	LOM PH Combination IT.S-A D.F.	Procedure No. 1	Effective date: Febru- ary 26, 1955. Supersedes Amendment	ber 26, 1954 Major changes: Radar	transition altitudes added Procedure turn distance limited					

F B Lee, Administrator of Civil Aeronautics

## The ground controlled approach procedures prescribed in § 609 13 are amended to read in part: വ

GCA STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings headings, and courses are magnetic Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation

If a GCA instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure authoritied by
the Administrative of Civil Aeronauties for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established with the ground controller. From initial contact with GCA to final authorized landing minimums, the instructions of the GCA controller are zanddatory except when (A) visual reference with ground is established on final approach at or before descent to the authorized landing minimums or (B) at pilot's discretion if it appears desirable to discontinue the approach

			Ceiling	and visibili	Ceiling and visibility minimums	8		Except when the ground controller may direct otherwise prior to final approach, a missed ap
City and State; airport name elevation; effective Radar terminal area; maneuvering alti sectors and limiting distances	Radar terminal area; maneuvering altitudes by sectors and limiting distances		200	Precision approach (PAR)	pproach R)	Surveillance approach (ASR)	s approach R)	proach procedure shall be executed as provided below when (a) communication on final approach is lost for more than 5 seconds; (b) directed by ground controller; (c) visual reference is not es
		ver	<del>'</del>	75 m. p h or less	75 m. p h More than 75 m. p h or less		More than 75 m p h	tablished upon descent to the authorized land ing minimums; or (d) landing is not accom plished
1	2	8	-	20	<b>©</b>	7	œ	6
NEW YORK, N. Y International, 12 Procedure No. 1 Amendment No. 1 Effective date: February 28, 1955, Simerscales Amendment No. 8, 40 sted Santom	All directions 2,500 within 25 miles E of NE/SW courses of La Guardia LFR 1 500 within 15 miles	7	A-du A-du A-du A-du A-du A-du A-du A-du	2 engines or less 300-1 400-1 300-34	300-1 500-1 300-3,4 600-2		,	Climb to 500' on heading of 042" make a climbing right turn to 130" intersecting SW course Mitchel LFR Continue climb to 1,500' (or higher altitude when directed by ATC) outbound on SW course Mitchel LFR
ber 19, 1953 Major changes: Revises minimums; includes maneuvering altitudes		4	4 T-dne than 2 engines 20 C-dn S-dn 30 S-dn 30 A-dn 60	than 2 engi	300-15 300-15 300-27 600-2			CAUTION: Celling minimizers of provide standard electrate over 778' stack 1 7 miles SSE of Runway 4R and 165 airport control tower

551) O Ø Þ the procedures (Sec 205 52 Stat 984 as amended; 49 U S C 425 Interpret or apply sec 601 52 Stat 1007 as amended; 49 These procedures shall become effective on the dates indicated in Column 1 of

[SEAL]

Jan 24 1955; 8:45 a m ] 55-694; Filed R Doc The areas described aggregate 3 695 16

shall be subject to existing withdrawals of the lands for power purposes so far as they affect any of the lands the mineral-leasing laws and reserved a under the jurisdiction of the Department of the Interior for use by the Designature of the State of o Washington in connection with the Colockum Game Range: Provided That the timber resources of the lands shall be subject to management and disposal by

Assistant Secretary of the Interior ORME LEWIS JANUARY 18 1955

24 Jan [F R Doc 55-700; Filed 8:46 a m ]

partment of the Interior pursuant to apthe Bureau of Land Management De-

plicable laws:

WILLAMETTE MERIDIAN

[Public Land Order 1055]

RESERVATION OF LANDS WITHIN NATIONAL FORESTS FOR RESEARCH PURPOSES

as follows: T 20 N R. 21 E
Sec 2 Lots 1 to 12, inclusive;
Sec 8, N½NE¼, W½SW¼, S½SE¼;
Sec 10, W½NE¾, NW¼;
Sec 12, N⅓ N½S½

T 20 N R. 22 E
Sec 6;
Sec 6;
Sec 8, NE¼SW¼; W%NE% SE¼ S¼SE¼; Sec 26 NW¼ S½; Sec 32 SE¼NE¼ W½ N½SE¼ Sec 32 W1/2W1/2 SE1/4NW1/4

the act of 16 U S C Subject to valid existing rights, the following-described public lands within the national forests in Arkansas hereinthe public land laws, including the mining laws, but not the mineral-leasing laws, and reserved for use of the Forest Service, Department of Agriculture in after designated are hereby withdrawn from all forms of appropriation under connection with research projects being conducted in furtherance of th May 22 1928 (48 Stat 699; 16 581 581a-581k): 1955;

Irons Fork Experimental Forest OUACHITA NATIONAL FOREST FIFTH PRINCIPAL MERIDIAN

Sec 1 SW % SW % SW % SE %;
Sec 2 S%;
Sec 3 all (fractional);
Sec 6 E½ SW %;
Sec 6 E½ SW %;
Sec 6 E½ E½ SW %;
Sec 8 E½ NW %;
Sec 7 N % NE %;
Sec 8 E½ NW % E½ SW % E½ SW %;
Sec 9;

### 43—PUBLIC LANDS INTERIOR

Chapter I-Bureau of Land Management, Department of the Interior

Appendix C-Public Land Orders [Public Land Order 1054]

WASHINGTON

RESERVING PUBLIC LANDS IN CONNECTION WITH COLOCKUM GAME RANGE

President and pursuant to Executive Order No 10355 of May 26 1952 the act of September 2, 1937 (50 Stat 917; 16 U S C 669–669i) and the act of March August 14, 1946 (48 Stat 401; 60 Stat 1080; 16 U S C 661-666c) it is ordered 10 1934 as amended by the act of By virtue of the authority vested in the as follows:

T 21 N R 22 E following described public lands in Kittitas and Chelan Counties Washington, are hereby withdrawn from all forms of the public-land Subject to valid existing rights appropriation under

laws including the mining laws but not

The reservation made by this order

ARKANSAS

By virtue of the authority vested in the President by the act of June 4 1897 (30 Stat 34 36; 16 U S C 473) and otherwise and pursuant to Executive Order No 10355 of May 26 1952 it is ordered Sec. 10:

A second second

Sec. 11; Sec. 12, W1/2, W1/2 NE1/4, W1/2 SE1/4, W1/2 E1/2 SE1/4.

Sec. 13, NW 4 NE 4, N ½ NW ¼, Sec. 14, W ½, N ½ NE ¼, SW ¼ NE ¼, W ½ SE ¼, SE ¼ SE ¼.

Sec. 15; Sec. 17, N½NE¼, SE¼NE¼, N½NE¼ NW¼,NW¼NW¼,SE¼SE¼,SE¼SW¼, Sec. 21,N½N½,SW¼NW¼,

Sec. 22; Sec. 23, W1/2, W1/2 NE1/4, NE1/4 NE1/4, W1/2

Sec. 27, N1/2 N1/2, SW1/4 NW1/4.

### OZARK NATIONAL FOREST

Sylamore Experimental Forest

T. 16 N., R. 11 W. Sec. 5, SE'4NE'4, SE'4, NE'4SW'4, S'2 sw¼,

Sec. 7, S1/2 NW 1/4, S1/2 NE 1/4, SE 1/4, SW 1/4,

Secs. 8, 17 and 18;

Sec. 19, N½NE¼, N½SE¼NE¼

Sec. 20, NE¼, N½NW¼, N½N½SE¼NW¼, NE¼NE¼SW¼NW¼, W½NE¼SW¼ NW1/4, NW1/4SW1/4NW1/4, NE1/4SE1/4.

The areas described aggregate 11,-076.41 acres.

This order shall take precedence over but not otherwise affect the existing reservations of the lands involved for national forest purposes.

ORME LEWIS.

Assistant Secretary of the Interior

JANUARY 18, 1955.

[F R. Doc. 55-699; Filed, Jan. 24, 1955; 8:46 a. m.l

[Public Land Order 1056]

RESERVING LANDS FOR USE OF ALASKA RAILROAD AS DOCK AND WHARF SITE

By virtue of the authority contained in section 1 of the act of March 12, 1914 (38 Stat. 305, 307: 48 U. S. C. 304) and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described land lying below the line of ordinary high tide on Passage Canal, Whittier, Alaska, is hereby reserved for use of the Alaska Railroad as a dock and wharf site:

Beginning at the point of intersection of the line of mean high water of Passage Canal with the easterly boundary line of Parcel No. 6 as described in PLO 587 of May 23, 1949, which is located N. 11 09' E., 372.57 feet from a point in the center line of the main track of The Alaska Railroad at Survey Station "B" 15 plus 68.00. From the point of beginning, 15 pils 66.00. From the point of beginning, U. S. Location Monument No. 2559, Whittier Townsite, bears S. 2° 29¾ W., 630.69 feet; thence from the point of beginning N. 11° 09′ E., 337.20 feet; S. 60° 51 E., 365.00 feet; N. 56° 09′ E., 500.00 feet; S. 61° 21′ E., 280.00 feet; S. 56° 09' W., 809.73 feet to a point on line of mean high tide. Northwesterly, 405.00 feet approximately, along line of mean high tide to point of beginning.

The tract described contains 6.52 acres.

ORME LEWIS, Assistant Secretary of the Interior JANUARY 18, 1955.

[F. R. Doc. 55-698; Filed, Jan. 24, 1955; 8:46 a. m.]

[Public Land Order 1057]

### ALASKA

WITHDRAWAL OF LANDS FOR USE OF ALASKA RAILROAD; PARTIALLY REVOKING PUBLIC LAND ORDER NO. 797 OF JANUARY 25, 1952

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public land in Alaska is hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws but not the mineral-leasing laws, and reserved for use of the Alaska Railroad.

A parcel of land near Kern Station, Alaska, 200 feet wide adjoining the northeasterly boundary line of the present 200-foot railroad right-of-way, extending from Mileage 71.00 to Mileage 71.15, and described as follows:

Beginning at a point on the northeasterly boundary line of the present right-of-way of The Alaska Railroad which is located 100.0 feet to the right (northeasterly) from the center line of the main tract of the railroad at survey station "C" 983 plus 53.0 E. C., Mileage 71.15. The point of beginning is located at Latitude 60°54'46" N., Longitude 149°06'10" W., \*thence southeasterly 735.7 feet parallel to and 100.0 feet from the center line of the main tract to a point which lies due north 110.0 feet more or less from the center line of the main tract at survey station "C" 975 plus 38.2, Mileage 71.00; thence due north 216.00 feet along the northwesterly boundary line of the Chugach National Forest as established by Public Land Order No. 797 to a point which lies 300.0 feet from the center line of the main track, measured at right angles therefrom: thence northwesterly 579.1 feet parallel to and 300.0 feet from the center line of the main track; thence southwesterly 200.0 feet to the point of beginning.

The tract described contains approximately 3.02 acres.

Public Land Order No. 797 of January 25, 1952, reserving the lands for classification, is hereby revoked so far as it affects the above-described land.

ORME LEWIS.

Assistant Secretary of the Interior

JANUARY 19, 1955.

[F R. Doc. 55-697; Filed, Jan. 24, 1955; 8:46 a. m.l

### [Public Land Order 1058]

### ARIZONA

RESERVATION OF LANDS WITHIN CORONADO NATIONAL FOREST FOR EXPERIMENTAL PURPOSES

By virtue of the authority vested in the President by the act of June 4, 1897 (30 Stat. 34, 36; 16 U. S. C. 473) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands within the Coronado National Forest in Arizona are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws, but not the mineral-leasing laws, and reserved for use of the Forest Service, Department

of Agriculture, for experimental purposes:

GILA AND SALT RIVER MERIDIAN

MT. GRAHAM EXPERIMENTAL FOREST

T. 8 S., R. 24 E., unsurveyed,

Sec. 26, SW1/4,

Sec. 27, S1/2,

Sec. 28, SE14SE14,

Sec. 33; Sec. 34;

Sec. 35, N1/2, SW1/4, E1/2 SE1/4.

T. 9 S., R. 24 E., unsurveyed,

Sec. 2, N1/2NW1/4,

Sec. 3;

Sec. 4, N½, N½SW¼, SE¼, Sec. 9, N½NE¼, SE¼NE¼,

Sec. 10, NW1/4.

The areas described aggregate 3,920 acres.

This order shall take precedence over but not otherwise affect the existing reservation of the lands involved for national forest purposes.

ORME LEWIS.

Assistant Secretary of the Interior

JANUARY 19, 1955.

[F R. Doc. 55-701; Filed, Jan. 24, 1955; 8:47 a. m.]

### TITLE 5—ADMINISTRATIVE **PERSONNEL**

### Chapter I—Civil Service Commission

PART 6---EXCEPTIONS FROM THE COMPETITIVE SERVICE

UNITED STATES INFORMATION AGENCY

Effective upon publication in the Fed-ERAL REGISTER, paragraph (b) of § 6.163 is amended, and paragraph (k) is added to § 6.363, as set out below.

§ 6.163 United States Information Agency. \* \* \*

(b) Two Liaison Officers (Congressional) in the Office of the General Counsel.

§ 6.363 United States Information

Agency. \* \* \*

(k) One Special Assistant to the Deputy Director.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633; E. O. 10440, 18 F R. 1823, 3 CFR, 1953 Supp.)

> United States Civil Serv-ICE COMMISSION,

WM. C. HULL. [SEAL]

Executive Assistant.

[F R. Doc. 55-715; Filed, Jan. 24, 1955; 8:49 a. m.1

### TITLE 32A—NATIONAL DEFENSE, APPENDIX

### Chapter XVIII—National Shipping Authority, Maritime Administration, **Department of Commerce**

[NSA Order No. 47 (AGE-4, Amdt. 8)]

AGE-4-COMPENSATION PAYABLE TO AGENTS, GENERAL AGENTS AND BERTH AGENTS

### VESSELS IN EMERGENCY SHIP REPAIR PROGRAM

Paragraph (a) of section 2 Compensation of General Agents for husbanding services, etc. of NSA Order No. 47 (AGE-4) published in the FEDERAL REGISTER issue of September 29, 1951 (16 F R. 9983) as amended by Amendment 1 (16 F R. 12019) Amendment 4 (18 F R. 2174) Amendment 5 (19 F R. 1410) and Amendment 6 (19 F R. 5628) is hereby further amended, effective as of August 1, 1954, by deleting subdivision (ii) of subparagraph (5) thereof and substituting therefor a new subdivision (ii) to read as follows:

(ii) Vessels in Emergency Ship Repair Program. \$50.00 per day for each day the vessel is being equipped and prepared for tow, is under tow, or is undergoing dismantling at the termination of tow, as determined by the Coast Director, while assigned under this program.

(Sec. 204, 49 Stat. 1987, as amended; 46 U. S. C. 1114)

Approved. January 17, 1955.

[SEAL]

C. H. McGuire,

Office of National Shipping Authority.

[F. R. Doc. 55-722; Filed, Jan. 24, 1955; 8:51 a. m.]

### TITLE 50---WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

PART 17-LIST OF AREAS

FEDERAL AID AREAS

EDITORIAL NOTE: For an addition to the tabulation in § 17.7, see Public Land Order 1054 in Appendix C to Title 43, Chapter I, supra, reserving certain public lands in Washington in connection with the Colockum Game Range.

### PROPOSED RULE MAKING

### CIVIL AERONAUTICS BOARD [ 14 CFR Part 35 ]

[Draft Release No. 55-2]

FLIGHT ENGINEER EXPERIENCE REQUIRE-MENTS WITH RESPECT TO THE TYPE OF AIRCRAFT

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau will propose to the Board the adoption of an amendment to Part 35 as hereinafter set forth.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Com-munications should be submitted in duplicate to the Civil Aeronautics Board. attention Bureau of Safety Regulation, Washington 25, D. C. In order to insure their consideration by the Board before taking further action on the proposed rule, communications must be received by March 1, 1955. Copies of such communications will be available after March 3, 1955, for examination by interested persons at the Docket Section of the Board, Room 5412, Department of Commerce Building, Washington, D. C. The experience requirements con-

tained in § 35.6 (a) and (b) of Part 35 of the Civil Air Regulations provide that certain of the experience of an applicant for a flight engineer certificate must have been gained in multiengine aircraft of a type used in air carrier operations. Subsequent to the original adoption of Part 35, several new types of aircraft, such as the B-36 and the R3Y which incorporate a flight engineer station, have been put into service by the military establishment but are not used in air carrier operations. These aircraft are considered far more complex than certain air carrier aircraft on which flight engineers are required. Since there are no civil counterparts of these aircraft used in air carrier operations, the Bureau believes that there is merit in removing the requirement for experience to have been gained in the type of aircraft used in air carrier operations. Because there will be no change in the present requirement that all such experience must be

gained in multiengine aircraft having engines rated at at least 800 h. p. each, it is believed that there is a satisfactory guarantee of appropriate experience. Thus an applicant who has gained some or all of his experience in these types of military aircraft will then be permitted to take the written examination for a flight engineer certificate. The applicant must, of course, meet all other requirements of Part 35 before he will be issued a flight engineer certificate. Moreover, a flight engineer certificate is not issued with a type rating. The certificate merely certifies the general competence of the holder to perform the duties of a flight engineer. Before a flight engineer may serve in air carrier operations, the air carrier must, under specific provisions of the air carrier operating rules, ascertain that he is familiar with the type of equipment on which he is to be assigned.

In view of the foregoing, notice is hereby given that it is proposed to amend Part 35 of the Civil Air Regulations as follows:

By amending paragraphs (a) and (b) of § 35.6 by deleting in each paragraph the phrase "of a type used in air carrier operations and"

This amendment is proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended. The proposal may be changed in the light of comments received in response to this notice of proposed rule making.

Dated: January 19, 1955, at Washington, D. C.

By the Bureau of Safety Regulation.

[SEAL] JOHN M. CHAMBERLAIN,

Director

[F R. Doc. 55-718; Filed, Jan. 24, 1955; 8:50 a. m.]

### [ 14 CFR Parts 40, 41 ]

[Draft Release No. 55-3]

SCHEDULED AIR CARRIER PILOT AIRPORT QUALIFICATION WITHOUT PRIOR TAKE-OFF AND LANDING

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of

Safety Regulation, notice is hereby given that the Bureau will propose to the Board the adoption of amendments to Parts 40 and 41 of the Civil Air Regulations as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. In order to insure their consideration by the Board before taking further action on the proposed rules, communications must be received by March 1, 1955. Copies of such com-munications will be available after March 3, 1955, for examination by interested persons at the Docket Section of the Board, Room 5412, Department of Commerce Building, Washington, D. C.

Section 40.303 (c) of Part 40 requires that each pilot in command make an entry into each regular, provisional, and refueling airport into which he is scheduled to fly. The Air Transport Association (ATA) at the recommendation of the air carriers has constantly maintained that this type of airport qualification creates a considerable burden upon the carriers from a cost standpoint in that the rule requires pilot requalification in order to transfer total operations from one airport to another, regardless of proximity. No consideration is given in instances where the airports are in such proximity that the pilots' familiarity with terrain, obstructions, navigation facilities, and conspicuous landmarks of one airport gives practical assurance of the airport qualification knowledge necessary for safe operation at the other airport. In addition, generally the transfer is to an improved airport. In fact, the Board, in several recent instances, has found that the airqualification requirements of § 40.303 (c) could be met by other requirements for first entry at an airport without sacrificing any safety associated with this regulation. Further, in this regard, the ATA has advised that additional airport transfers within local areas are to be effected in the next few months, which creates an urgency for this amendment.

In case of airport transfers, where such airports can be considered to be within

the same local community the Bureau proposes to provide that the Administrator may accept other procedures or prescribe the conditions under which a pilot in command can be deemed qualified at an airport without prior landing and take-off.

The Air Transport Association and the Air Line Pilots Association recommended that § 40.303 (c) be amended to provide that qualification for a pilot's first entry into provisional and refueling airports be limited only by weather minimums. Under their proposal the qualifying entry could be made only with weather conditions equal to or better than the specified alternate weather minimums for the airport. The most adverse weather conditions under which such a landing using a radio range and either ILS or GCA would be permitted without prior qualification would be with a ceiling of at least 800 feet and one mile visibility or 700 feet ceiling and one and one-half miles visibility or 600 feet and two miles visibility. For safety purposes the Administrator at his discretion could elect to set higher minimums for the qualifying entry. Comment is invited specifically with respect to this proposal.

Additionally an alternative training technique for familiarizing pilots with the airports they are scheduled to serve has been actively sought for a number of years by the air carriers. In fact, Pan American Airways (PAA) and several other interested persons have developed a different method for familiarizing pilots with airports and their immediately surrounding terrain. Recently CAA and CAB staffs have witnessed color motion picture panoramic views of La Guardia Airport and San Francisco International Airport which showed excellent promise of providing an effective means for insuring pilot airport qualification. Some of the essentials that these films contained are clear daylight views of the complete physical layout of the airport, including surrounding terrain, obstructions, approaches to all runways, restricted areas, and conspicuous reference points that would be of value to the pilot during periods of restricted visibility. These films also included a running narrative of various characteristics pertinent to airport familiarization. Many persons within the industry and government who have had an opportunity to witness a showing of these films expressed the general belief that this new medium has been developed to the point that it is now ready for use in pilot airport qualification.

The Bureau is of the opinion that, with necessary safeguards, the regulations should be amended in a manner that will encourage further research and development of the visual training aids program by various commercial sources and at the same time provide more acceptable airport qualification rules for use in the meantime. Accordingly it would seem appropriate to permit methods of airport qualification other than physical entry, provided that such alternative methods have the approval of the Administrator.

Since it is the policy of the Board that the same standards should apply to air carrier operations regardless of where conducted, except where inherent differences in the type of operations require differentiation, it is the desire of the Bureau in this case, to propose that identical pilot route and airport qualification standards be applied to domestic and international operations. For the sake of clarity the complete § 40.303 appears below.

In view of the foregoing, notice is hereby given that it is proposed to amend Parts 40 and 41 of the Civil Air Regulations as follows:

1. By amending § 40.303 to read as follows:

§ 40.303 Pilot route and airport qualification requirements. (a) The air carrier shall be responsible that each pilot in command is thoroughly qualified for the route over which he is to fly aircraft in scheduled air transportation as a pilot in command. An air carrier shall not utilize a pilot as pilot in command until he has been qualified for the route on which he is to serve at least in accordance with paragraphs (b) (c) and (d) of this section and the appropriate instructor or check pilot has so certified.

- (b) Each such pilot shall demonstrate adequate knowledge concerning the subjects listed in subparagraphs (1) to (9) of this paragraph with respect to each route to be flown. Those portions of the demonstration pertaining to holding procedures and instrument approach procedures may be accomplished in a synthetic trainer which contains the radio equipment and instruments necessary to simulate the navigational and letdown procedures approved for use by the air carrier.
  - (1) Weather characteristics,
  - (2) Navigational facilities.
  - (3) Communication procedures,
- (4) Type of en route terrain and obstruction hazards,
  - (5) Minimum safe flight levels,
  - (6) Position reporting points,
  - (7) Holding procedures,

- (8) Pertinent traffic control procedures, and
- (9) Congested areas, obstructions, physical layout, and all instrument approach procedures for each regular, provisional, and refueling airport approved for the route.
- (c) Each pilot shall make an entry as a member of the flight crew at each regular airport into which he is scheduled to fly. Unless impracticable, such entry shall include a landing and take-off under day VFR to permit the qualifying pilot to observe the airport and surrounding terrain, including any obstructions to landing and take-off. The qualifying pilot shall occupy a seat in the pilot compartment and shall be accompanied by a pilot who is qualified at the airport: Provided, That such entry shall not be required if the air carrier shows that pilot airport qualification can be accomplished by other means which are acceptable to the Administrator.
- (d) Airport qualification at provisional and refueling airports shall be accomplished by compliance with the procedures for regular scheduled airports specified in paragraph (c) of this section unless the scheduled entry is made with weather conditions equal to or better than the specified alternate weather minimums for the airport.
- (e) On routes on which navigation must be accomplished by pilotage and on which flight is to be conducted at or below the level of adjacent terrain which is within a horizontal distance of 25 miles on either side of the center line of the route to be flown, the pilot shall be familiarized with such route by not less than 2 one-way trips as pilot or additional member of the crew over the route under VFR to permit the qualifying pilot to observe terrain along the route.
- 2. By amending § 41.50 to read in substance the same as proposed in § 40.303.

These amendments are proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended. These proposals may be changed in the light of comments received in response to this notice of proposed rule making.

Dated: January 20, 1955, at Washington, D. C.

By the Bureau of Safety Regulation.

[SEAL] JOHN M. CHAMBERLAIN,

Director

[F R. Doc. 55-719; Filed, Jan. 24, 1955; 8:50 a. m.]

### **NOTICES**

### DEPARTMENT OF JUSTICE Office of Alien Property

ANTONIO D'ONOFRIO

ANTONIO D'ONOFRIO

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days

from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Antonio D'Onofrio, Avellino, Italy, Claim No. 62223; all right, title, interest and claim of any kind or character whatsoever of Antonio D'Onofrio in and to the trust estate created under the will of Ferdinando D'Onofrio, deceased; in the process of administration by the Miners Savings Bank of Pittston, Trustee, acting under the judicial supervision of the Orphans' Court of Luzerne County, Pennsylvania.

Maria D'Onofrio Monica, Avellino, Italy, Claim No. 62225; all right, title, interest and claim of any kind or character whatsoever of Maria D'Onofrio Monica in and to the trust estate created under the will of Ferdinando D'Onofrio, deceased; in the process of administration by the Miners

**NOTICES** 552

Savings Bank of Pittston, Trustee, acting under the judicial supervision of the Orphans' Court of Luzerne County, Pennsylvania.

Rosina D'Onofrio, Marincola D'Onofrio, Mario D'Onofrio, Carmine Ferdinando D'Onofrio, Aniello D'Onofrio, Antonio D'Onofrio, Avellino, Italy, Claim No. 62224; Vesting Order No. 1269; all right, title, interest and claim of any kind or character whatsoever of Giuseppe D'Onofrio and his children, in equal shares, to Rosina D'Ono-frio, Marincola D'Onofrio, Mario D'Onofrio, Carmine Ferdinando D'Onofrio, Aniello D'Onofrio, Antonio D'Onofrio, being the children of Giuseppe D'Onofrio, in and to the trust estate created under the will of Ferdinando D'Onofrio, deceased; in the process of administration by the Miners Savings Bank of Pittston, Trustee, acting the judicial supervision of the Orphans' Court of Luzerne County, Pennsvivania.

Executed at Washington, D. C., on January 18, 1955.

For the Attorney General.

[SEAL] PAUL V MYRON. Deputy Director Office of Alien Property.

[F R. Doc. 55-615; Filed, Jan. 21, 1955; 8:49 a. m.]

MARIUS LEONARD VAN OVEREEM

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Marius Leonard van Overeem, Hilversum, The Netherlands, Claim No. 42353; property described in Vesting Order No. 291 (7 F R. 9834, November 26, 1942) relating to United States Patent Application Serial No. 390,176 (now United States Letters Patent No. 2.328.515).

Executed at Washington, D. C., on January 18, 1955.

For the Attorney General.

[SEAL]

PAUL V. MYRON. Deputy Director Office of Alien Property.

[F R. Doc. 55-618; Filed, Jan. 21, 1955; 8:49 a. m.]

### DEPARTMENT OF AGRICULTURE

### Office of the Secretary

SPECIAL EMERGENCY LOAN PROGRAM

ASSIGNMENT OF FUNCTIONS TO FARMERS HOME ADMINISTRATION

Pursuant to authority contained in section 161, Revised Statutes (5 U.S. C. 22) and Reorganization Plan No. 2 of 1953, sections 1400 and 1401 of the Secretary's order of December 24, 1953 (19 F R. 74) as amended, are hereby further

amended so as to assign to the Farmers Home Administration the functions and responsibilities with respect to making and servicing Special Emergency loans under Public Law 727, 83d Congress, and to reserve to the Secretary the area designation authority contained in said act. Such amendments are accomplished by adding new paragraphs to read as follows:

SEC. 1400. Assignment of functions.

p. The Special Emergency Loan Program (Pub. Law 727, 83d Cong.)

Sec. 1401. Reservations—a. Reservations to the Secretary. \* \* \*

(8) The designation of areas in which Special Emergency loans may be made (Pub. Law 727, 83d Cong.)

Done at Washington, D. C., this 20th day of January 1955.

TRUE D. MORSE. Acting Secretary of Agriculture.

[F R. Doc. 55-708; Filed, Jan. 24, 1955; 8:48 a. m.1

### DEPARTMENT OF THE INTERIOR

### **Bureau of Land Management**

NEW MEXICO

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

JANUARY 14, 1955.

An application, serial number New Mexico 010925, for the withdrawal from all forms of appropriation under the public land laws, including the mining laws but not the mineral-leasing laws. of the lands described below was filed on February 6, 1953, by U. S. Department of Agriculture. The purposes of the proposed withdrawal: Recreation areas.

For a period of thirty days from the date of publication of this notice, persons having cause to object to the proposed withdrawal may present their objections in writing to the State Supervisor, Bureau of Land Management. Department of the Interior, at P O. Box 1251, Santa Fe, New Mexico. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER, either in the form of a public land order or in the form of a Notice of Determination if the application is rejected. In either case, a separate notice will be sent to each interested party of record.

The lands involved in the application are:

> NEW MEXICO PRINCIPAL MERIDIAN CIBOLA NATIONAL FOREST

Juan Tabo Recreation Area

T. 11 N., R. 4 E., Sec. 2, lots 1, 2, 5, 6; T. 12 N., R. 4 E.,

Sec. 35, S½SW¼SE¼, S½NE¼SW¼SE¼, 5½n½ne4sw4se4, sw4se4se4, s½nw4se4se4, s½nynw4se4 se4, n½se4se4se4, s½ne4se4

SE ¼, se. 36, S½NW¼SW¼SW¼, SW¼NE¼ SW¼SW¼.

The areas described aggregate 202.25 acres.

La Cueva Recreation Area

T. 11 N., R. 4 E.

Sec. 2, N½SW¼SW¼, N½SE¼SW¼, SE¼ SE½SW¼, E½SW¼SE¼SW¼, E½W½ SW¼SE¼SW¼, SW¼SE¼, W½SE¼ SE¼, NE¼SE¼SE¼, W½SE¼SE¼SE¼, Sec. 11, lot 11, E½W½NE¼NE¼, W½E½ NE½NE½ NE¼NE¼.

The areas described aggregate 159.32 acres. Springtime Recreation Area

T. 8 S., R. 6 W., Sec. 36, NE1/4.

The area described contains 160 acres.

Water Canyon Recreation Area

T. 3 S., R. 3 W.,

Sec. 26, NW 1/4 NW 1/4, W 1/2 NW 1/4 NE 1/4 NW 1/4, 

The areas described aggregate 95 acres.

E. R. SMITH. State Supervisor

[F R. Doc. 55-696; Filed, Jan. 24, 1955; 8:45 a. m.1

### Office of the Secretary

[Order No. 2508, Amdt. 10]

BUREAU OF INDIAN AFFAIRS

DELEGATIONS OF AUTHORITY

JANUARY 18, 1955.

Order No. 2508, as amended (14 F R. 258; 16 F R. 473, 11620, 11974, 17 F R. 1570, 6418; 19 F R. 34, 1123, 4585, 20 F R. 167) is further amended as follows:

1. Paragraph (b) of section 13 Lands and minerals is amended to read as fol-

(b) All those matters set forth in 25 CFR Part 241.

2. Section 26 is amended to read as

SEC. 26 Repeal. The following provisions of this order are repealed: Sections 13 (c) (d) (e) and (g) section 20; section 21, and section 22.

> DOUGLAS MCKAY. Secretary of the Interior

[F R. Doc. 55-702; Filed, Jan. 24, 1955; 8:47 a. m.]

[Order 2785]

DIRECTOR OF THE BUREAU OF MINES

DELEGATION OF AUTHORITY WITH RESPECT TO NEGOTIATED PURCHASES AND CONTRACTS

JANUARY 18, 1955.

SECTION 1. Authority. The Director of the Bureau of Mines is authorized, subject to the provisions of section 3 of this order, to contract or make purchases,

without advertising, pursuant to the following delegations of authority from the Administrator of General Services:

(a) Delegation of Authority effective July 1, 1950 (15 F R. 4961) relating to the synthetic liquid fuels program;

(b) Delegation of Authority No. 56 (15 F R. 8836) relating to the manganese program:

(c) Delegation of Authority No. 78 (16 F R. 2643) relating to projects with working funds transferred from other specific agencies; and

(d) Delegation of Authority No. 79 (16 F R. 2816) relating to the production and distribution of helium gas.

SEC. 2. Redelegation. Subject to the provisions of section 3 of this order, the Director of the Bureau of Mines may in writing, redelegate or authorize written redelegation of the authority granted by section 1 of this order. Each such redelegation shall be published in the FEDERAL REGISTER.

SEC. 3. Exercise of authority. (a) The Secretary of the Interior must make the written determination required by paragraph (12) subsection (c) of section 302 of the Federal Property and Administrative Services Act of 1949 (41 U. S. C., sec. 252 (c) (12)) and the written determination required by paragraph (10) of said act (41 U.S.C., sec. 252 (c) (10)) when a contract pursuant to paragraph (10) will require the expenditure of more than \$25,000. Until the Secretary has made the determination required, neither the Director nor any other officer or employee of the Bureau of Mines shall enter into such a contract pursuant to paragraphs (10) or (12) subsection (c) section 302 of that act.

(b) Either the Director, the Deputy Director, or any Assistant Director of the Bureau of Mines may make the written determination required by paragraph (10) subsection (c) of section 302 of that act, when the contract will involve the expenditure of \$25,000 or less. Until such an official of the Bureau of Mines has made the required determination, neither the Director nor any other officer or employee of the Bureau of Mines may enter into a contract pursuant to paragraph (10) subsection (c) section 302 of the act.

(c) The authority granted by or pursuant to this order shall be exercised in accordance with all provisions of Title III of the Federal Property and Administrative Services Act of 1949, as amended (41 U. S. C., sec. 251 et seq.) and all limitations and conditions imposed by the General Services Administration contained in the pertinent delegation of authority.

SEC. 4. Revocation. Orders Nos. 2578 (15 F R. 5144) 2611 (16 F R. 130) 2626 (16 F R. 3366) and 2631 (16 F R. 4416) are herewith revoked.

Douglas McKay, Secretary of the Interior

[F. R. Doc. 55-703; Filed, Jan. 24, 1955; 8:47 a. m.]

### DEPARTMENT OF LABOR

### Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended, 29 U.S.C. and Sup. 214) and Part 522 of the regulations issued thereunder (29 CFR Part 522) special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provision of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear and Other Odd Outerwear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.168, as amended July 5, 1954, 19 F R. 3326)

Armored Garments, Inc., Spruce Pine, N. C., effective 1-4-55 to 1-3-56; 10 learners for normal labor turnover (dungarees)

normal labor turnover (dungarees)
Campus Shirt Co., 130 East South Street,
Barnesville, Ohio; effective 1-23-55 to
1-22-56; 10 percent of the total number of
factory production workers for normal labor
turnover purposes (men's and boys' 'sport
shirts).

Dart-Win Trousers, Inc., Gonzales, La., effective 1-5-55 to 7-2-55; 15 additional learners for plant expansion purposes (supplemental certificate) (men's dress trousers).

Fairfield Manufacturing Co., Inc., Winnsboro, S. C., effective 1-5-55 to 7-4-55; 40 learners for plant expansion purposes (women's inexpensive cotton dresses).

M. Fine & Sons Manufacturing Co., Inc., New Albany, Ind., effective 1-23-55 to 1-22-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (work shirts, pants, and jackets)

Forest City Manufacturing Co., Virden, Ill., effective 1-19-55 to 1-18-56; 10 learners for normal labor turnover purposes (juniors' and misses' cotton and rayon dresses)

Forest City Manufacturing Co., Staunton, Ill., effective 1-19-55 to 1-18-56; 10 learners for normal labor turnover purposes (Juniors' and misses' cotton and rayon dresses).

Hebron Pants Factory, Hebron, Md., effective 2-4-55 to 2-3-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (cotton work pants).

Higginsville Garment Co., Inc., Higginsville, Mo., effective 1-6-55 to 7-5-55; 25 learners for plant expansion purposes (women's uniforms).

Kennebec Manufacturing Co., Inc., Northern Avenue, Gardiner, Manne, effective 1-10-55 to 7-9-55; 15 learners for plant expansion purposes (children's outer garments).

Luzerne Outerwear Manufacturing Corp., 87-93 North Canal Street, Shickshinny, Pa., effective 1-7-55 to 1-6-56; 10 percent of the

total number of factory production workers for normal labor turnover purposes (men's and boys' outerwear).

McKenzie Pajama Corp., Box 38, McKenzie, Tenn., effective 1-7-55 to 1-6-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (pajamas)

Madill Manufacturing Co., Madill, Okla., effective 1-19-55 to 7-11-55; 25 learners for plant expansion purposes (men's dress slacks and hobby jeans).

Mt. Airy Pants Factory, Mt. Airy, Md., effective 1-23-55 to 1-22-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (cotton work pants).

Powellville Shirt Co., Powellville, Md., effective 1-25-55 to 1-24-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (cotton work pants).

Primo Pants Co., Versailles, Mo., effective 1-5-55 to 7-4-55; 25 learners for plant expansion purposes (men's and boys' pants)

Publix Shirt Corp., Hazleton, Pa., effective 1-23-55 to 1-22-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (dress and sport shirts).

Reliance Manufacturing Co., Freedom Factory, Edwards Street at Tuscan Avenue, Hattiesburg, Miss., effective 2-12-55 to 2-11-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' pajamas and work jackets).

Troutman Shirt Co., Inc., Mooresville, N. C.,

Troutman Shirt Co., Inc., Mooresville, N. C., effective 1-13-55 to 1-12-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's work shirts).

Willards Shirt Co., Willards, Md., effective 1-29-55 to 1-28-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (cotton work shirts).

Williamstown Dress Co., West Street and South Alley, Williamstown, Pa., effective 1-7-55 to 1-6-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (women's dresses).

Glove Industry Learner Regulations (29 CFR 522.220 to 522.231, as amended July 13, 1953, 18 F R. 3292)

Peerless Glove Co., Mayville, Mich., effective 1-6-55 to 7-5-55; 30 learners for plant expansion purposes (work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.46, as amended May 3, 1954, 19 F R. 1761)

Lorimer Hosiery Mills, Inc., Burlington, N. C., effective 1-10-55 to 1-9-56; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's half hose).

Knitted Wear Industry Learner Regulations (29 CFR 522.68 to 522.79, as amended January 21, 1952, 16 F R. 12866)

Shadowline, Inc., Morganton, N. C., effective 1-8-55 to 1-7-56; 5 percent of the total number of factory production workers for normal labor turnover purposes (lingerie).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regula554 NOTICES

tions and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the Federal Register pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 11th day of January 1955.

MILTON BROOKE,
Authorized Representative
of the Administrator

[F R. Doc. 55-704; Filed, Jan. 24, 1955; 8:47 a. m.]

### CIVIL AERONAUTICS BOARD

[Docket No. 6615 et al.]

PAN AMERICAN WORLD AIRWAYS; GUATE-MALA CITY-LOS ANGELES RENEWAL CASE

NOTICE OF HEARING

In the matter of the application of Pan American World Airways under section 401 of the Civil Aeronautics Act, as amended, for renewal and amendment of that portion of its Latin American certificate of public convenience and necessity which authorizes air transportation between the intermediate point Guatemala City Guatemala, and the terminal point Los Angeles, California.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that a hearing in the aboveentitled proceeding will commence on February 7, 1955, at 10:00 a. m., P c. t., in Room 229, U. S. Post Office and Court House Building, 312 North Spring Street, Los Angeles, California, before Examiner Merritt Ruhlen.

Without limiting the scope of the issues presented by the application, particular attention will be directed to the following matters:

1. Do the public convenience and necessity require the renewal of Pan American Airways certificate of public convenience and necessity for that part of its Latin American routes which authorizes it to provide air service between the intermediate point Guatemala City Guatemala, and the terminal point Los Angeles, California, on a temporary or permanent basis?

2. Do the public convenience and necessity require the amendment of Pan American's certificate of public convenience and necessity for its Latin American routes so as to authorize Pan American to serve San Francisco as a co-terminal point with Los Angeles on its route from Guatemala City, Guatemala, to Los Angeles?

3. Is Pan American a citizen of the United States within the meaning of that term as defined by section I (13) of the Civil Aeronautics Act of 1938, as amended; and is Pan American Airlines fit, willing and able to provide such air transportation as may be found to be required by the public convenience and necessity and to conform to the provisions of the Act and the rules, regulations, and requirements of the Board thereunder?

For further details of the issues involved in this proceeding, interested per-

sons are referred to the application and other documents entered in the docket of this proceeding, all of which are on file with the Civil Aeronautics Board.

Notice is further given that any person other than parties of record desiring to be heard in this proceeding should file with the Board, on or before February 7, 1955, a statement setting forth the issues of fact or law to be presented.

Dated at Washington, D. C., January 20, 1955.

[SEAL]

Francis W Brown, Chief Examiner

[F R. Doc. 55-717; Filed, Jan. 24, 1955; 8:50 a. m.]

### SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3334]

WEST PENN ELECTRIC CO.

ORDER REGARDING PROPOSED AMENDMENTS OF CHARTER AND SOLICITATIONS OF CON-SENTS OF STOCKHOLDERS

JANUARY 19, 1955.

The West Penn Electric Company ("West Penn") a registered holding company has filed a declaration with this Commission pursuant to the provisions of sections 6, 7, and 12 (e) of the Public Utility Holding Company Act of 1935 ("act") and Rules U-62 and U-65 thereunder.

West Penn, a Maryland corporation, proposes, with the approval of the holders of a majority of its outstanding common stock (the only class of stock outstanding) voting at a special meeting of stockholders to be held on February 16, 1955, to amend its charter to change its common stock from no-par value to \$5 par value per share; to increase its authorized common stock from 5,000,000 shares to 12,500,000 shares; to split its outstanding 4,224,000 shares of common stock on a two-for-one basis to an aggregate of 8,448,000 shares by issuing to its stockholders one additional share of common stock for each share now outstanding; to provide that the power to make, alter and repeal the bylaws of the company which is now vested solely in the stockholders, shall be vested in the Board of Directors, which power may be exercised by a majority of the whole Board, except that the power to alter the bylaws to divide the Board into classes having different tenures of office shall be reserved to the stockholders; and to eliminate the presently authorized but unissued 500,000 shares of preferred stock, par value \$100 per share, and 54,788 shares of Class A stock, no par value, and all charter provisions relating thereto.

As an incident to the change of the common stock from no-par value to \$5 par value per share, it is proposed to reduce the stated capital of the company from \$60,813,132 to \$42,240,000, to correspond to the proposed aggregate par value of the 8,448,000 shares of common stock to be outstanding after the stock split-up. The amount of the proposed reduction of the stated capital (\$18,573,-132) will be added to paid-in surplus,

and the resolution of stockholders authorizing the reduction in the stated capital will contain a provision that no dividends or distributions to stockholders may be made out of such increase in paid-in surplus except upon the consent of the holders of a majority of the outstanding common stock.

West Penn states that the proposed stock split-up and change to a par value of \$5 will facilitate a wider distribution of the common stock and thus render the shares more readily marketable; that the proposed increase in the authorized amount of common stock will provide a reasonable amount of authorized but unissued common stock which may be used for proper corporate purposes; and that the financing of future capital requirements will be aided. West Penn further states that vesting in the Board of Directors of the power to make, alter, and repeal the by-laws is proposed to reflect a change in the laws of Maryland under which West Penn is incorporated. West Penn represents that the provisions relating to the preferred and Class A stocks are out of date and that their elimination will simplify the company's

The management of West Penn proposes to solicit proxies from the company's stockholders to be voted at the special meeting of stockholders to be held for the purpose of voting upon the proposed charter amendments. Proxies will be solicited by mail and may be solicited by officers, directors and regular employees of the company personally, by telephone or by telegraph. The company may reimburse persons holding stock in their names or the names of their nominees for their expenses in sending soliciting materials to their principals. Although there are no present plans to do so, the company may also obtain the services of additional persons in soliciting proxies.

The fee, commissions and expenses to be incurred and paid in connection with the cailing of the special meeting of stockholders and the transactions incident to the amendment of its charter are estimated by West Penn as follows:

Proxy solicitation (maximum)	\$12,000
Printing	15,000
New York Stock Exchange listing	
fee	10, 825
Transfer Agent and Registrar's fees	
and expenses	47,000
Legal fees:	-
Sullivan & Cromwell	1.500
Miscellaneous	
FT-4-1	

West Penn represents that no State commission or Federal regulatory agency, other than this Commission, has jurisdiction over the proposed transactions.

West Penn requests that the Commission enter its order herein not later than January 20, 1955, and that there be no waiting period between the issuance of such order and the effective date thereof.

Notice regarding the filing of said declaration having been given pursuant to Rule U-23 and no hearing having been requested of, or ordered by, the Commission; and the Commission finding that the applicable standards of the

act and the rules promulgated thereunder are satisfied, and that said declaration should be permitted to become effective forthwith.

It is ordered, Pursuant to Rule U-23, that said declaration be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F R. Doc. 55-705; Filed, Jan. 24, 1955; 8:48 a. m.]

[File No. 812-865]

### NORTHEAST CAPITAL CORP.

NOTICE OF AND ORDER FOR HEARING ON AP-PLICATION FOR ORDER DECLARING THAT COMPANY IS NOT INVESTMENT COMPANY

JANUARY 19, 1955.

Notice is hereby given that Northeast Capital Corporation ("Northeast") New York, New York, has filed an application and an amendment thereto, pursuant to section 3 (b) (2) of the Investment Company Act of 1940 ("act") for an order declaring it to be engaged primarily through a controlled company in a business other than that of investing, reinvesting, owning, holding or trading in securities.

The application contains various representations, including the following:

Northeast was organized under the laws of the State of New York in 1925 and adopted its present name on November 6, 1953. Following its organization, Northeast engaged in the business of manufacturing, assembling and selling decorative lighting products. Subsequently the company engaged in manufacturing and selling various products directly and through wholly owned subsidiaries. In the early part of 1952, such products included decorative lighting fixtures, wire and cable products, ranges and space heaters, automobile and truck signals, oil burners, kitchen sinks, floor furnaces, dolls and silica-gel. During 1952 and the early part of 1953 Northeast disposed of a substantial amount of its. assets through (1) sales, and (2) a transfer of assets to a newly formed corporation in consideration for the capital stock of the new company which was then distributed to Northeast's stockholders. After the disposition of these assets, Northeast continued the manufacture and sale of automobile and truck signals and accessories through its K-D Lamp Division and the manufacture and sale of oil burners through its wholly owned subsidiary, Automatic Burner Corporation.

As a result of the disposition of assets, Northeast had a substantial amount of funds available which the management desired to use in manufacturing enterprises. In or about July 1953, Northeast started to acquire shares of the capital stock of Mack Trucks, Inc. ("Mack") which is engaged in the business of manufacturing trucks. As of September

24, 1954, Northeast owned 489,600 shares of Mack capital stock or about 31 percent of the capital stock of Mack then outstanding. The cost of such interest to Northeast aggregated \$7,215,881 which was equivalent to about 58.1 percent of its total assets at August 31, 1954. The only other securities held by Northeast at September 24, 1954, consisted of \$90,000 principal amount of United States Savings Bonds, 2,200 shares of capital stock of American Telephone & Telegraph Company (held to meet retirement payments to a former president of the company) and 10,000 shares of 5 percent Cumulative Preferred Stock of Liberia Mining Co. Limited, which the management of Northeast anticipates will soon be called for redemption.

Four members of Northeast's executive committee are now members of Mack's board of directors consisting of 11 members, and have participated in the management of Mack as described in the application.

On the basis of the foregoing, Northeast concludes that it now conducts a business similar to its own through a controlled company. Mack

controlled company Mack.

Section 3 (b) (2) of the act, among other things, excepts from the definition of an investment company contained in section 3 (a) (3) any issuer which the Commission finds and by order declares to be primarily engaged in a business other than that of investing, reinvesting, owning, holding or trading in securities, either directly or through controlled companies conducting similar types of businesses.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors that a hearing be held with respect to the application pursuant to section 3 (b) (2)

It is ordered, Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application under the applicable provisions of the Act and of the Rules of the Commission thereunder be held on the 2d day of February 1955, at 10:00 a. m., in the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At such time the Hearing Room Clerk will advise as to the room in which such hearing will be held. Any person desiring to be heard or otherwise wishing to participate in this proceeding is directed to file with the Secretary of the Commission his application as provided by Rule XVII of the Commission's rules of practice, on or before the date provided in that rule setting forth any issues of law or facts which he desires to controvert or any additional issues which he deems raised by this notice and order or by such application.

It is further ordered, That James E, Ewell, or any officer or officers of the Commission, designated by it for that purpose, shall preside at said hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to a hearing officer under the Commission's rules of practice.

The Division of Corporate Regulation having advised the Commission that it has made a preliminary examination of the application, and that upon the basis thereof the following matters and questions are presented for consideration, without prejudice to its specifying additional matters and questions upon further examination:

(1) Whether Northeast is an investment company within the definition of section 3 (a) (3) of the act:

(2) Whether Northeast is primarily engaged in a business other than that of investing, reinvesting, owning, holding or trading in securities, either directly or through majority-owned subsidiaries, or through controlled companies conaducting similar types of business.

It is further ordered, That particular attention be directed at said hearing to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall give notice of the aforesaid hearing by mailing a copy of this notice and order by registered mail to Northeast, and that notice to all persons shall be given by publication of this notice and order in the Federal Register; and that a general release of this Commission in respect of this notice and order be distributed to the press and mailed to the mailing list for releases.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 55-706; Filed, Jan. 24, 1955; 8:48 a. m.]

### FEDERAL POWER COMMISSION

[Docket No. G-6864]

SYRACUSE HOME UTILITIES Co.

NOTICE OF APPLICATION

JANUARY 19, 1955.

Take notice that Syracuse Home Utilities Company (Applicant) an Ohio corporation with its principal place of business in Syracuse, Ohio, filed, on December 6, 1954, an application, pursuant to section 7 (a) of the Natural Gas Act, for an order directing The Ohio Fuel Gas Company (Ohio Fuel) to establish interconnection and sell natural gas to it.

Applicant represents that it is presently engaged in the distribution of natural gas to domestic consumers in the Village of Syracuse, Ohio, and the immediate vicinity pursuant to a franchise granted by the Village. Applicant states that prior to December 1, 1954, it received the major portion of its gas supply from Racine Gas and Service Company (Racine) from surplus gas available to the latter company. On December 1, 1954, Racine terminated all sales to the Applicant and severed physical connection of its facilities.

Applicant states that it constructed approximately 3800 feet of 2-inch pipeline in order to make the emergency connection. No additional facilities would be necessary should an order issue directly the interconnection and sale.

Applicant estimates its annual requirements from Ohio Fuel as follows:

mount	:	Year
24,300	Mcf	1955
24,600	Mcf	1957
24,600	Mcf	1959

Peak day demand is estimated at 140 Mcf.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C. in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 26, 1955.

[SEAL]

LEON M. FUQUAY, Secretary.

[F R. Doc. 55-709; Filed, Jan. 24, 1955; 8:49 a. m.]

### HOUSING AND HOME FINANCE AGENCY

### Office of the Administrator

OA FISCAL OFFICER, DEPUTY OA FISCAL OFFICER, AND REGIONAL ADMINISTRA-TORS

DELEGATION OF AUTHORITY TO EXECUTE LEGENDS ON BONDS, NOTES OR OTHER OBLI-GATIONS EVIDENCING LOANS MADE UNDER TITLE I OF THE HOUSING ACT OF 1949, AS AMENDED, INDICATING ACCEPTANCE OF SUCH INSTRUMENTS AND PAYMENT THERE-FOR

- 1. The OA Fiscal Officer (Finance and Accounts Branch, Division of Administration) the Deputy OA Fiscal Officer and each Regional Administrator of the Housing and Home Finance Agency is hereby authorized to execute, on behalf of the Housing and Home Finance Administrator, in instances where necessary or appropriate, any legend appearing on any bond, note or other obligation being acquired by the Federal Government from a local public agency on account of a loan to such local public agency pursuant to Title I of the Housing Act of 1949, as amended (63 Stat. 414-421, as amended, 42 U.S.C., 1952 ed. and Sup. I 1451-1460) which legend indicates the Federal Government's acceptance of the delivery of the particular bond, note or other obligation and its payment therefor on the date specified in the particular legend.
- 2. Each Regional Administrator is authorized to redelegate any of the authority herein delegated to one or more officers or employees under his jurisdiction.
- 3. This delegation of authority supersedes the delegation effective November 18, 1954 (19 F R. 7445) respecting this same subject.

(Reorg. Plan 3 of 1947, 61 Stat. 954; 62 Stat. 1268, 1283-85 (1948) as amended, 12 U. S. C., 1952 ed. 1701c)

Effective as of the 25th day of January 1955.

[SEAL]

ALBERT M. COLE, Housing and Home Finance Administrator

[F. R. Doc. 55-716; Filed, Jan. 24, 1955; 8:50 a. m.]

### INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 30152]

FOREIGN WOODS FROM GEORGETOWN, S. C., TO OFFICIAL TERRITORY

APPLICATION FOR RELIEF

JANUARY 19, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedules listed below.

Commodities involved. Lumber, logs and flitches of foreign woods, built-up woods, and veneer, carloads.

From. Georgetown, S. C.

To: Points in official (including Illinois) territory.

Grounds for relief: Rail competition, circuity and to maintain grouping.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1214, supp. 108; C. A. Spaninger, Agent, I. C. C. No. 1238, supp. 55.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, Secretary.

[F. R. Doc. 55-610; Filed, Jan. 21, 1955; 8:48 a. m.]

[4th Section Application 30155]

CARBON DIOXIDE FROM KANSAS CITY, Mo.-KANS., TO IOWA

APPLICATION FOR RELIEF

JANUARY 20, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by W J. Prueter, Agent, for carriers parties to Missouri Pacific Railroad Company's tariff I. C. C. No. A-10261, pursuant to fourth section order No. 17220.

Commodities involved: Carbon dioxide solidified (dry ice) carloads.

From: Kansas City, Mo.-Kans.

To: Points in Iowa.

Grounds for relief: Competition with rail carriers and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such

application shall request the Commission in writing so to do within 15 days from the date, of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, Secretary.

[F. R. Doc. 55-711; Filed, Jan. 24, 1955; 8:49 a. m.]

[4th Sec. Application 30157]

RETURNED PETROLEUM PRODUCTS FROM, TO, AND BETWEEN POINTS IN OFFICIAL TER-RITORY

APPLICATION FOR RELIEF

JANUARY 20, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by H. R. Hinsch, Agent, for carriers parties to schedules indicated below.

Commodities involved: Petroleum products and related articles, in tank-car loads returned to original shipping point.

Between: Points in official territory and between points in the latter territory, on the one hand, and points in southern and western trunk line territories, on the other.

Grounds for relief: Rail competition, circuity and to maintain grouping.

Schedules filed containing proposed rates: H. R. Hinsch, Agent, I. C. C. No. 4367, supp. 72, and other schedules listed in exhibit 1 of the application.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, Secretary.

[F. R. Doc. 55-713; Filed, Jan. 24, 1955; 8:49 a. m.]